

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

PEGGY GRIFFIN and husband,)	
RUSSELL GRIFFIN,)	
)	
Plaintiffs,)	
)	
VS.)	No. _____
)	JURY DEMANDED
WAL-MART STORES, INC.,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Wal-Mart Stores, Inc., a corporation, hereby gives notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against it: Peggy Griffin and Russell Griffin v. Wal-Mart Stores, Inc., in the Circuit Court of Washington County, Tennessee, No. 29886.

Copies of the summons and complaint are attached as Exhibits A and B respectively. According to the complaint, plaintiffs are citizens and residents of Washington County, Tennessee.

Defendant Wal-Mart Stores, Inc., is a Delaware corporation with its principal place of business in Bentonville, Arkansas.

Wal-Mart Stores East, LP,¹ is a Delaware limited partnership. WSE Management, LLC, a Delaware limited liability company, is the general partner, and WSE Investment, LLC, a Delaware limited liability company, is the limited partner. The sole member of

¹Wal-Mart Stores East, LP, is the entity that operated the store on the date of this accident. It was incorrectly sued as Wal-Mart Stores, Inc. It is expected that Wal-Mart Stores East, LP, will be substituted as the proper defendant in this matter.

WSE Management, LLC, and WSE Investment, LLC, is Wal-Mart Stores East, Inc., whose parent company is Wal-Mart Stores, Inc., a Delaware corporation.

Jurisdiction is conferred under 28 U.S.C. § 1332 relating to diversity of citizenship of the parties. The parties are citizens of different states.

The amount in controversy is in excess of the federal jurisdictional requisite of \$75,000. The complaint seeks compensatory damages in the amount of \$1,000,000 for severe and permanent injuries, including great pain. See ¶ 13(a-k) of the complaint.

Defendant Wal-Mart Stores Inc. was served with process on November 2, 2011. Fewer than thirty days have expired since service of process on defendant. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, defendant hereby gives notice of the removal of this action pending in the Circuit Court of Washington County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Greeneville Division, and requests that the proceedings be held thereon.

/s Robyn Owens

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Attorneys for defendant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by U.S.
mail, postage prepaid, upon:

Arthur M. Fowler, III, Esq.
Fowler & Fowler, PLLC
130 East Market Street
Johnson City, TN 37604

on this the 1st day of December, 2011.

/s Robyn Owens

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